

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

|   |   |  |
|---|---|--|
| -----X                                  | : |  |
| In re REFCO, INC. Securities Litigation | : | 07 MDL 1902 (JSR)                          |
| -----X                                  | : |  |
| This document applies to:               | : | <b><u>Electronically filed</u></b>         |
| THOMAS H. LEE EQUITY FUND V, L.P.,      | : |  |
| THOMAS H. LEE PARALLEL FUND V, L.P.,    | : | 07 Civ. 8663 (JSR)                         |
| and THOMAS H. LEE EQUITY (CAYMAN)       | : |  |
| FUND V, L.P.,                           | : |  |
|   | : | <b>NOTICE OF MOTION</b>                    |
| Plaintiffs/Counterclaim-Defendants,     | : | <b>TO QUASH RULE 45 SUBPOENAS</b>          |
|   | : | <b><u>SERVED ON GRANT THORNTON LLP</u></b> |
| v.                                      | : |  |
| GRANT THORNTON LLP,                     | : |  |
|   | : |  |
| Defendant/Counterclaim-Plaintiff.       | : |  |
| -----X                                  | : |  |

**PLEASE TAKE NOTICE THAT,** upon the accompanying Memorandum of Law in Support of Grant Thornton LLP's Motion to Quash Rule 45 Subpoenas Served on Grant Thornton LLP and the Declaration of Ruth A. Braun in Support of Grant Thornton LLP's Motion to Quash Rule 45 Subpoenas Served on Grant Thornton LLP and the exhibits attached thereto, both dated June 1, 2011, and all prior papers and pleadings herein, the undersigned will move this Court before the Honorable Judge Jed S. Rakoff, United States District Judge, in the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Courtroom 14B, New York, New York 10007, for an order quashing the May 18, 2011 subpoenas served on Grant Thornton LLP, pursuant to Federal Rule of Civil Procedure 45(c); any Opposition to this Motion to Quash shall be served and filed by June 10, 2011, and any Reply to any Opposition to this Motion to Quash

shall be served and filed by June 17, 2011, with oral argument scheduled for a date and time to be set by the Court.

Dated: June 1, 2011  
New York, New York

Respectfully submitted,

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